

MARGO A. RAISON, KERN COUNTY COUNSEL

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Thomas Craig and Miguel Orozco

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JANE DOE,

Plaintiff,

vs.

KERN COUNTY SHERIFF'S OFFICE,
THOMAS CRAIG, MARIO OROZCO,
DOES 2-20,

Defendants.

) CASE NO.: 1:20-CV-01544-JLT

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) **STIPULATION TO MODIFY THE**
) **SCHEDULING ORDER; [PROPOSED]**
) **ORDER**

) **(Doc. 25)**

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This stipulation is entered into by and between plaintiff Jane Doe and defendants County of Kern, Thomas Craig, and Miguel Orozco, by and through their respective counsel to modify the Scheduling Order in this matter.

1. This is the first extension requested by either party.

2. Pursuant to the Scheduling Order, the deadline for completion of non-expert discovery is December 1, 2021. As set forth in the attached declarations, the parties unlikely to be able comply with the scheduled dates in this matter despite their diligence and therefore request a short extension to the discovery deadlines.

3. The parties have engaged in discovery as follows:

- On February 16, 2021 the parties exchanged their initial disclosures;
- On February 24, 2021 Defendants served requests for production, to which Plaintiff timely

1 responded on March 31, 2021, subject to an extension.

- 2 • On March 17, 2021 Defendants served subpoenas for Plaintiff's records from Dignity Health
- 3 Memorial Hospital in Bakersfield.
- 4 • On April 10, 2021, Plaintiff served requests for production on the County of Kern. The
- 5 County of Kern responded to Plaintiff's requests for production on May 28, 2021, subject to
- 6 Plaintiff's extension.
- 7 • Plaintiff's medical records from Memorial Health were received by Defendants on July 19,
- 8 2021.
- 9 • On or around August 11, 2021, Defendants subpoenaed deposition testimony and documents
- 10 from Memorial Hospital employees, including Mariam Vielman, Ludim Vielman,
- 11 Sharandeep Brar, and Michelle Caton-Wheeler. In coordination with Memorial Hospital's
- 12 attorney and Plaintiff's Counsel, these depositions took place on August 17, 2021, August
- 13 24, 2021, and October 1, 2021.
- 14 • On September 1, 2021 Defendants served interrogatories, requests for admission, and
- 15 additional requests for production. On September 29, 2021 Defendants granted an extension
- 16 to respond to October 18, 2021.
- 17 • Plaintiff deposed Defendant Miguel Orozco on September 15, 2021.
- 18 • Plaintiff attempted to depose Thomas Craig on September 16, 2021 but was required to
- 19 reschedule due to the power outage that morning. The parties are attempting to schedule a
- 20 new date.
- 21 • Upon discovery that Plaintiff may have had recent mental health treatment, Defendants
- 22 subpoenaed medical records from local mental healthcare facilities on September 17, 2021.
- 23 • Defendants deposed Plaintiff on October 4, 2021, where it was discovered that Plaintiff
- 24 received additional mental health treatment in July 2021. Based on that information,
- 25 Defendants have ordered subpoenas of those records.
- 26 • Defendants served supplemental disclosures on October 12, 2021.
- 27 • Defendants attempted to depose a third party, Justin McGee, on October 13, 2021 but Mr.
- 28 McGee did not appear. Defendants will move to compel his deposition.

- Plaintiff served verified responses to County’s discovery requests on October 18, 2021.
- Plaintiff has noticed the deposition of defendant Thomas Craig on November 4, 2021.
- Plaintiff has noticed the deposition of Dr. Kathe Lundgren on November 8, 2021.
- Defendants are preparing subpoenas to Plaintiff’s pharmacies and mental health facilities which were not previously known to Defendants.

4. Although the parties have cooperated in discovery and have met and conferred on several occasions, it is anticipated that discovery may run longer than expected. The parties are attempting to schedule a mental health examination of Plaintiff, yet the reduced availability of qualified experts has made this difficult. It is also likely that Defendants will have to compel the deposition of Justin McGee. Finally, several third party subpoenas are outstanding and may need to be compelled.

5. Based on the forgoing, the parties agree through counsel to amend the scheduling order as follows:

Deadline:	Currently:	Proposed:
Non-expert Discovery Cutoff:	12/01/21	03/30/22
Expert Disclosure:	12/15/21	04/12/22
Rebuttal Expert Disclosure:	01/10/22	05/10/22
Expert Discovery Cutoff:	02/10/22	06/13/22
Dispositive Motion Filing Deadline:	02/22/22	06/22/22
Pre-Trial Conference:	05/06/22	09/06/22
Trial:	06/20/22	10/17/22

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1 NOW THEREFORE, IT IS HEREBY STIPULATED by the Parties that the Scheduling
2 Order be modified as set forth above.

3 Dated: October 26, 2021

LAW OFFICE OF PHILLIP GANONG*

By: /s/ Phillip Ganong, Esq. as authorized on 10/26/21

Phillip Ganong, Esq.

Attorney for Plaintiff, Jane Doe

6 Dated: October 26, 2021

MARGO A. RAISON, COUNTY COUNSEL

By: /s/ Andrew C. Hamilton

Andrew C. Hamilton, Deputy

Attorneys for Defendants,

County of Kern, Thomas Craig and Miguel Orozco

PROPOSED ORDER

THE COURT, HAVING FOUND GOOD CAUSE, AND PER STIPULATION OF COUNSEL, IT IS HEREBY ORDERED that the Scheduling Order be Amended as follows:

Deadline:	Currently:	Proposed:
Non-expert Discovery Cutoff:	12/01/21	03/30/22
Expert Disclosure:	12/15/21	04/12/22
Rebuttal Expert Disclosure:	01/10/22	05/10/22
Expert Discovery Cutoff:	02/10/22	06/13/22
Dispositive Motion Filing Deadline:	02/22/22	06/22/22
Pre-Trial Conference:	05/06/22	09/06/22
Trial:	06/20/22	10/17/22

IT IS SO ORDERED.

Dated: **October 26, 2021**

/s/ Jennifer L. Thurston
CHIEF UNITED STATES MAGISTRATE JUDGE